



BOISE TRIAL PROGRESSES

Defense Attempts To Show Uncertainty

ORCHARD IN POVERTY

Plot to Kidnap Paulson Children for Ransom Subject of Inquiry.

ERA OF CRIME AND POVERTY

Orchard Compelled To Live By Borrowing and Stealing During August, 1905 —He Also Lived For a Time At Pettibone's House.

BOISE, June 12.—The defense today carried the cross-examination of Harry Orchard down to the actual crime charged against Haywood, the murder of Governor Steunenberg and as it progressed assailed Orchard's testimony and the theory of the state resting upon it. The Steunenberg crime was reached at midday and counsel for the defense directed their efforts to an attempt to cloud the earlier purposes and movements of Orchard with uncertainty and indefiniteness, then they emphasized the abandonment of all effort to kill, after Orchard first tracked Steunenberg to Boise and with a skeleton key had gained access to the very room in which the Governor was living. Here they delayed for a moment to prove that Orchard twice wrote and once telephoned to Bill Easterly, at Silver City, to urge him to come and join in the crime and the direct implication was that Orchard was endeavoring to inveigle another Federation man into the crime, which would bring dishonor and discredit to that organization. Then the Steunenberg crime was temporarily thrust aside and the witness carried over his long diverting journey into Northern Idaho and his crimes there, including the dark plot to steal and hold for ransom, the Paulson children, were forcefully emphasized.

Orchard swore that Dave Coates, former Lieutenant-Governor of Idaho and then publisher at Wallace, Idaho, first suggested the kidnapping to Pettibone and himself at Denver. Paulson, once a poor miner, had made a fortune in the Hercules Mine in which Orchard held an interest when the property was valueless, and it was believed that if his children were stolen he would "come through" with \$50,000 or \$60,000 in ransom. Orchard said, when he went to North Idaho he got Jack Simpkins to come in on the plot and together they went to Coates to renew the scheme. Coates who was in court was asked to stand up for identification and facing him Orchard said he was the man. Orchard was then asked if he had not himself proposed the crime to Coates who immediately rebuffed him, and if Jack Simpkins had not warned Paulson the minute he heard of the plot. Orchard denied the suggestions and reiterating his first story, insisted that Coates had consented to stay in the plot and handle the money they hoped to get out of Paulson.

Then the defense allowed the witness in the commission of a series of mean crimes and reduced to poverty in which he had to resort to the pawnshop, borrowing and theft to live for a long period. First he pawned some jewelry and guns. This brought \$25 or \$30. Then with a man named Cunningham, whom he said Vincent St. John had recommended to him as safe and tried, he discussed the project to give Cunningham the old Peabody bomb which he still had in his trunk, for use by Cunningham against some of the non-union men at the Tiger and Poorman mines, then he accepted the hospitality of the Paulson home at the very time he was plotting to steal Paulson's children. After that with Jack Simpkins he broke into the O. R. & N. depot. They were after a trunk full of jewelry samples, but instead got a trunk full of shoes. Next he tapped a cash register at Burke for \$30 or \$40. It was a long

era of crime and poverty and hard luck and in summing it up the defense wanted to know why, if he was in Idaho on a mission of murder for Haywood, Paulson and Pettibone and with no credit from them, he did not borrow and steal. Orchard testified that he did send a letter to M. J. Butte and got \$100, but he did not send for more because he was temporarily off the Steunenberg murder and away from from where Steunenberg lived and he did not want to send for more money until he could show that he was back at work. Lastly, there came the showing that Orchard had borrowed \$300 from Paulson, whose children he had gone north to steal, on the strength of a fraudulent story that he was going to Los Angeles to sell mining stock for Coates and that this was the money that actually paid his expenses when he went back to Caldwell on the final mission of murder.

Swiftly reviewing his meeting with his old partners, who had in the meantime become rich, the defense asked the witness if, disappointed and angered at his own hard luck in selling out the Hercules mine, when Steunenberg sent the troops into North Idaho, he had not suddenly decided to borrow money enough from Paulson to take him to Caldwell, where he could murder the man, whom he blamed for his misfortunes. Orchard strenuously denied that this was his motive. The earlier part of the day was consumed with a review from the standpoint of the defense of the alleged plots against Governor Peabody, Judge Gabbert, Judge Goldard and General Bell. It developed that during August of 1905, when with a shotgun and buckshot he was stalking Bell, Orchard went to live at the home of Pettibone, and the explanation of this relationship offered by the defense in its questions was that Orchard had come there to keep Pettibone company while Mrs. Pettibone was absent on an eastern trip.

The review of the Steunenberg plot brought from Orchard the additional declaration that when Haywood was proposing the crime he said El Boyce, a former president of the Western Federation of Miners and now one of the owners of the Hercules mine had always desired the removal of Steunenberg for his part in the North Idaho labor troubles.

When seen after Orchard left, the stand Coates said Simpkins never talked to him on the subject of the kidnapping of Paulson's children; that Orchard did not speak to him about it in Denver, but did come to him in Wallace and outlined the plot. Orchard said he wanted to kidnap Paulson's children and get a bunch of money. Coates says he told him he was a fool and if he attempted to do so, Coates would denounce him publicly and that he would be run out of Wallace. Coates pronounces the story as absolutely untrue. Coates served a term as Lieutenant-Governor of Colorado, having been elected on the Populist ticket.

After leaving Colorado he went to Wallace and until a few weeks ago was the proprietor of a newspaper there. He recently sold out his interests there.

A SECOND ORCHARD

Steve Adams Many Crimes Parallel His Pals.

TESTIMONY IS VALUABLE

Steve Adams Will Prove No Less An Interesting Witness Than Harry Orchard If He Can Be Made To Talk.

BOISE, June 12.—Steve Adams forms a factor in the trial of William D. Haywood for the murder of former Governor Steunenberg hardly less interesting than Harry Orchard, the main witness for the prosecution. This man made a confession last year fully as horrible as that made by Orchard, and the state is known to rely greatly on it.

SCHMITZ EAR BURNING DAY

Ruef Practically Called Him a Perjurer.

TRIAL TO JURY TODAY

Arguments Will be Made Today and Case Will Probably Go to Jury.

PROSECUTION IS SUSTAINED

Johnson Makes Opening Address For Prosecution and Greatly Interests Schmitz—Barrett For Defense Makes Lengthy Arguments.

SAN FRANCISCO, June 11.—This was an ear burning day for Mayor Schmitz. Seated at the counsel table, he heard Ruef, his former political friend, philosopher and guide, practically call him a perjurer. And with that same burning he listened to a scathing denunciation of himself by Prosecutor Johnson. If there was a balm for his scorched feelings in the speech that closed the day, the speech of his own attorney, Mr. Barrett, he took no open heed. Indeed, during most of the two hours and twenty-five minutes that Barrett was speaking the Mayor was either glancing over the newspapers or was buried deep in the typewritten pages of the testimony. But no word of the prosecutor's address escaped his sensitive ears.

Ruef was, of course, the sensation of the day. His appearance on the stand as a witness in rebuttal for the prosecution is now credited to the tactical error of the defense in letting the Mayor testify, for it was to refute the Mayor's denials under oath that he had not participated in Ruef's "fee" that the prisoner ex-boss was called. Ruef told the jury that he went to Schmitz' former residence and there handed to the Mayor or at stated intervals one-half of the "fees" of the \$50,000 and \$30,000 paid to him by the French restaurant kept by this was after the defense had exhausted its best efforts to shut both the question and the answer out on the ground that the former was not properly rebuttal because in his direct examination no such matters had been broached to the Mayor. Judge Dunne ruled that the pertinency of the question could not be doubted.

The opening address for the prosecution by Hiram W. Johnson, son of former Congressman Grove L. Johnson, and one of the foremost criminal lawyers in the state, occupied one hour and fifteen minutes. It was a masterly argument and in his effort Johnson avoided anything like an attempted resume of the evidence in all its voluminous details.

He selected rather, the main peaks and steering by them, endeavored to pilot the jury over a short course to conviction.

Johnson was followed by J. J. Barrett, who spoke for nearly two hours and a half in behalf of the defense, making much of the testimony argument, that had the court permitted Ruef to tell

Some time after the confession was made Adams' uncle came to Boise from his Oregon home and got into communication with him. He employed counsel to secure a writ of habeas corpus for the release of his nephew. Investigation showed that at the solicitation of his uncle Adams had concluded to repudiate his confession. As no charge had been filed against him, he might have walked out the door of the penitentiary a free man had not the authorities decided to prosecute him for the murder of Frey Tyler, a claim-jumper, on the St. Joe River, in Shoshone County, of which he had told in the confession.

The prisoner was then taken to Wallace, the county seat of Shoshone County, and tried for this murder. The jury disagreed, and he was remanded into the custody of Sheriff Bailey, to await a second trial.

the whole story, he would have testified that the restaurant keepers came to Ruef and besought his services as an attorney and no threat was made or held over them that they would lose their licenses if they did not pay him money, and Ruef's contention would have been that he did not exercise any control over the license board. Barrett told the jury that under the testimony adduced, the most that might be proved was that the money was extorted by Ruef from the French restaurant men by a threat to close the bedrooms on their upper floors.

"The indictment," commented the Mayor's attorney, "charges this defendant with extorting this money by threat to take away their licenses, to sell liquor. You cannot, gentlemen, accuse the defendant of one crime and convict him of another. Remember that."

When Barrett concluded, the court adjourned for the day. The arguments to follow will be made tomorrow and the case probably reach the jury before night.

JAPS IN HONOLULU.

Immigration Officials Given Orders To Handle Situation Carefully.

HONOLULU, June 12.—Commissioner of Immigration Sargent has instructed the local immigration officials to continue the careful inspection of Japanese immigrants but to discontinue photographing them and to handle diplomatically all questions that may arise. The local federal officers are alleged to have discovered members of the Japanese navy here that have been communicated with direct by their home government and not through the Japanese consul.

REVOLUTION IN SALVADOR.

Nicaragua Behind Latest Uprising In Banana Republic.

SAN SALVADOR, June 12.—Although no confirmation had been made public here up to last night, of the reported capture of Acajutla, Salvador, by the Nicaraguan forces, it is positively known that President Zelaya embarked troops and war munitions at Corinto, on the war vessel Momotombo, under the orders of General Rivas and destined to raise a revolution in Salvador.

SUICIDE AND MURDER.

Man Kills Wife and Blows Top of His Own Head Off.

LOS ANGELES, June 12.—Frank T. Edison, a lodging house keeper, today shot his wife through the head and instantly killed her and then blew off the top of his own head. The couple had frequently quarreled over financial matters.

FATHER'S BRUTAL CRIME.

INDIANAPOLIS, June 12.—Robert Jolly killed his daughter Gladys, aged 9 years, here today by forcing carbolic acid down her throat. He had been drinking and when arrested later talked incoherently. It is believed that his mind is affected.

ILLFATED LAUNCH

Search Instituted by Naval Authorities Develops Nothing.

CEREMONIES CARRIED OUT

Navy Officers Decline Invitations To Participate In Future Festivities—Search For Bodies of Eleven Victims Pursued After Dark.

NORFOLK, June 12.—All day long and until late tonight the search and dredging instituted by the naval authorities for any signs of the Minnesota's ill-fated launch and its eleven occupants has progressed, but the bodies of the victims have not been found. While Virginia Day was participated in, in order not to break the program arranged in advance, the navy officers have declined all new invitations to participate in festivities.

METCALF SAFE.

NEWPORT NEWS, June 12.—A dispatch received here late tonight from the naval officer at Hampton Roads, stating that Secretary Metcalf is safe. The telegram further said the Secretary is on board the Dolphin.

PAPERS MAKE TROUBLE

Print Pictures of Frisco Incidents

USED STRONG WORDS

The Hocht Says the Stage for the Negotiation Has Passed.

TIME FOR ACTION REACHED

Papers Say Situation Calls For Prompt Action By Both Governments—Do Not Advocate War But Commercial Retaliation.

TOKIO, June 13.—Several papers this morning print photographs of the wreckage caused by the attacks on the Japanese restaurants in San Francisco. This appeal to the eye, coupled with strong words ascribing the sufferings of their compatriots has further inflamed popular indignation. Nishi Nishi commenting on the photographs says:

"The situation is doubtless grave and calls for prompt measures on the part of both governments."

Hocht says:

"The stage for negotiation has passed and time for action has been reached."

The paper says however, that it does not mean to advocate war, but commercial retaliation.

JAPAN WILL CAUSE SENSATION.

Will Introduce Measures Which Are Opposed by Russia and U. S.

NEW YORK, June 12.—A Vienna dispatch to the Herald quotes a delegate to the Hague conference said to be the representative of a great power as declaring that Japan is to hurl a bomb into the conference by bringing forward the question of right of a conqueror to annex territory subjugated with all that is upon it.

This will be warmly denied by both Russia and the United States, the Herald's informant is quoted as saying. The Russians have large private properties in Manchuria and the United States considerable mining and other interests in Korea. In such interests Japan proposes to deprive them. At all events that is to be the object of her proposition.

"The United States proposes to bring a motion diametrically opposed to that of Japan and this, in view of the present existing controversy between Japan and America it is said to see has all the makings of a first-class international row."

CUERO-STOCKDALE LINE.

New Line In Texas Opens Fertile Lands To Colonists.

CHICAGO, June 12.—How the railroad revolutionizes socially and physically the country through which it passes was never better shown than in the changes wrought by a 50-mile stretch of track from Stockdale to Cuero, Texas. This line traversing open prairie country, closed the gap on the Victoria division of the Galveston, Harrisburg and San Antonio Railway between San Antonio and Cuero, and with the line from Cuero to Port Lavaca gives San Antonio a direct line to the Gulf. It also opens up an additional line between San Antonio and Houston by way of Stockdale, providing an additional incentive to the development of the entire coast country, which in the past decade has made wonderful progress.

But the change that has come over the country traversed by the Stockdale-Cuero extension is the most interesting feature of this sociological exhibit. The road opened for settlement a wonderfully fertile and productive section of the state, including portions of four counties. Until very recently the entire section traversed by the Victoria division

of the G. H. and S. A., controlled by the Southern Pacific, was dominated absolutely by the cattle kings. The cheap fertile lands made accessible by the railroad, however, have proved too strong an incentive to be resisted by the homeseeker, and in place of the seven towns that the latest maps show between Cuero and San Antonio, scores of prosperous communities are now established, many of them rapidly achieving modest distinction in trade.

Melon and vegetable culture and general crop growing are rapidly increasing, and toward the Gulf end of the line the sugar cane industry is making marked progress. Immediately following the recent opening of the Cuero-Stockdale line one-tenth of the country bordering upon it was thrown into cultivation, chiefly cotton. This agricultural development is slowly but surely displacing the cattle industry and making 50 homes grow where one existed in the days when vast cattle ranches occupied the country.

METAL TRADES TO WAIT.

SAN FRANCISCO, June 12.—The metal trades' association at its meeting yesterday agreed to postpone definite action on the refusal of the machinists' union to accept the terms of settlement of the iron workers' strike until that union has been given a chance to reconsider its position. The machinists meet tonight and the iron masters have postponed action until their attention session when they will meet again.

Meantime, the association of employers is determined not to start work in the shops until every union has accepted the terms of the proffered settlement.

FISHERMEN RESCUED.

SEATTLE, June 12.—A. Poulson and F. Davis, two of the fishermen reported drowned off Possession Bay were rescued late Tuesday night clinging to their upturned boat. The men are in a serious condition.

FURNITURE MEN PLEAD GUILTY.

PORTLAND, June 12.—Twenty more furniture men pleaded guilty to the indictment in the Federal district court charging them with restraint of interstate commerce, today. They were sentenced to pay fines ranging from \$10 to \$25.

FREE MECHANOTHERAPY.

NEW YORK, June 12.—The first free institute for mechanotherapy in America will be opened for public inspection this afternoon at the German Hospital and dispensary. The purpose is to exercise back into a normal condition a joint or muscle that has become stiffened or atrophied through accident or disease.

YESTERDAY'S BASEBALL SCORES.

Coast League.
At San Francisco—San Francisco 2, Oakland 0.
Northwest League.
At Butte—Butte 0, Tacoma 1.

CLEVELAND RIOT

Jewish District Incensed an Kosher Meat Shops.

ALL SHOPS WERE PICKETED

Jews Boycotted Kosher Meat Shops Because of Advance in Price and Severely Handle Several Persons Who Attempt To Buy Meat.

CLEVELAND, June 12.—A riot occurred in the Jewish district here, today, as the result of a ban placed upon the Kosher meat shops. The Jews angered over the recent raise of 4 cents a pound for meat, refused to buy and urged others not to buy. All Kosher shops were picketed today by women and children of the neighborhood. Delivery wagons were stopped, the meat was soaked with coal oil and the shops closed. When Jacob Rocksvitch emerged from a shop with some meat he was surrounded by women. In attempting to escape he ran over a baby. A crowd of 500 quickly gathered and Rocksvitch was being roughly handled when rescued. One woman who was buying meat was severely injured and had her clothing nearly torn off by the crowd. Several shops were raided.